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DISTRICT COURT

CLARK COUNTY, NEVADA

NINETTE GAGNON, individually, SHERLI
GAGNON, individually;

Plaintiffs,

v.

ALFRED MATTHEWS III, individually,
ASHLEY FURNITURE INDUSTRIES, INC.
a Wisconsin Corporation; DOES I through X,
inclusive; ROE CORPORATIONS XI through
XX, inclusive,

Defendants.

Case No.: A-18-777850-C
Dept. No.: Department 22

COMPLAINT

Plaintiffs NINETTE GAGNON and SHERLI GAGNON ("Plaintiffs") complain as follows:

GENERAL ALLEGATIONS

1. The actions complained of herein occurred in Clark County, Nevada.
2. The true names and capacities of the Defendants designated herein as Doe or Roe Corporations are presently unknown to Plaintiffs at this time, who therefore sues said Defendants by such fictitious names. When the true names and capacities of these defendants are ascertained, Plaintiffs will amend this Complaint accordingly.
3. At all times pertinent herein, Defendants were agents, servants, employees or joint venturers of every other Defendant, and at all times mentioned herein were acting within the scope and course of said agency, employment, or joint venture, with knowledge and permission and consent of all other named Defendants.

...

(Negligence)

13. Plaintiffs incorporate paragraphs 1 through 12 of the Complaint as though said paragraphs were fully set forth herein.

23. Plaintiffs incorporate paragraphs 1 through 22 of the Complaint as if those paragraphs were fully incorporated herein.

24. Defendant ASHLEY FURNITURE INDUSTRIES, INC. sent Defendant ALFRED MATTHEWS III to Nevada knowing he would operate a vehicle whose rental was paid for by Defendant ASHLEY FURNITURE INDUSTRIES, INC.

25. Defendant ALFRED MATTHEWS III was incompetent, inexperienced, or reckless in the operation of his vehicle.

26. Defendant ASHLEY FURNITURE INDUSTRIES, INC. knew, or by the exercise of reasonable care should have known, that Defendant ALFRED MATTHEWS III was incompetent, inexperienced, or reckless in the operation of the motor vehicles.

27. Plaintiffs were injured as a proximate consequence of the negligence and incompetence of Defendant ALFRED MATTHEWS III, resulting from the negligent hiring, supervision, and/or training of Defendant ALFRED MATTHEWS III by Defendant ASHLEY FURNITURE INDUSTRIES, INC.

28. As a direct and proximate cause of the negligent hiring, supervision, and/or training by Defendant ASHLEY FURNITURE INDUSTRIES, INC., Plaintiffs have been damaged in an amount in excess of \$15,000.00.

29. Plaintiffs have been required to engage the services of an attorney, incurring attorney's fees and costs to bring this action.

FOURTH CAUSE OF ACTION

(Respondeat Superior)

30. Plaintiffs incorporate paragraphs 1 through 29 of the Complaint as if those paragraphs were fully incorporated herein.

31. Defendant ALFRED MATTHEWS III was acting within the course and scope of his employment while operating his vehicle on July 23, 2016.

32. Defendant ASHLEY FURNITURE INDUSTRIES, INC. is therefore liable for the negligent actions of Defendant ALFRED MATTHEWS III.

33. Plaintiffs were injured as a proximate consequence of Defendants' negligence.

34. As a direct and proximate cause of Defendants' negligence, Plaintiffs have been damaged in an amount in excess of \$15,000.00.

35. Plaintiffs have been required to engage the services of an attorney, incurring attorney's fees and costs to bring this action.

WHEREFORE, Plaintiffs pray for relief as follows:

1. For general damages sustained by Plaintiffs in an amount in excess of \$15,000;
2. For special damages sustained by Plaintiffs in an amount in excess of \$15,000;
3. For reasonable attorney's fees and costs;
4. For interest at the statutory rate; and
5. For such other relief as the Court deems just and proper.

ADAM SMITH LAW

By: /s/ Adam D Smith

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